IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CRIMINAL APPLICATION NO.41 OF 2007
IN
CRIMINAL WRIT PETITION NO.1698 OF 2005
WITH
CRIMINAL APPLICATION NO.499 OF 2006
IN
CRIMINAL WRIT PETITION NO.1694 OF 2005
WITH
CRIMINAL APPLICATION NO.501 OF 2006
IN
CRIMINAL WRIT PETITION NO.1697 OF 2005
WITH
CRIMINAL APPLICATION NO.502 OF 2006
IN
CRIMINAL WRIT PETITION NO.1696 OF 2005

Office notes, office Memoranda of Coram, appearances, Court's orders or directions & Registrar's orders	Court's or Judge's Orders

Mr.Holmagi, adv. for Applicants.

Mr.S.V.Pradhan, adv. for the respondent no.1.

CORAM: J.H.BHATIA, J.
DATE : 16th March, 2007.

P.C.:

1. Heard Mr.Holmagi, the learned counsel for the applicants in all these matters and Mr.S.V.Pradhan for the respondent no.1.

2. It appears that the applicants in all these matters were prosecuted and convicted under Section 630 of the Companies Act and were sentenced to undergo imprisonment of three months and to pay fine. They have preferred appeals against the said conviction. However, the appeals also came to be dismissed. Thereafter, the applicants preferred writ petition nos.1698 of 2005, 1694 of 2005, 1697 of 2005 and 1696 of 2005 challenging the conviction and sentence as also dismissal of the appeals. Those four writ petitions came to be dismissed in default. Therefore, the applicants have preferred application nos.500 , 499, 501 and 502 of 2006 for restoration of those writ petitions and application no.41 of 2007 is filed by the applicant Tayyappa in application no.500 of 2006 for bail. After some discussion at bar, Mr.Holmagi seeks to withdraw the applications as efficacious remedy of revision is available under the

Cr.P.C. and therefore, writ petition under Article 227 could not be filed. In view of this he seeks to withdraw these applications with liberty to file fresh revision applications. In view of this, all these five applications stand disposed off as withdrawn with liberty to the applicants/petitioners to file revision applications with application for condonation of delay and other reliefs. If such revision application is filed within two weeks from this date, the period spent in prosecuting these writ petitions and the applications shall be excluded for the purpose of computation of period of limitation.

3. Arrest warrants issued against the applicants in writ petition nos.1694, 1697, 1696 of 2005 shall not be implemented for a period of two weeks from this date.

(J.H.BHATIA, J.)